

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

USCA Docket Number:

USDC Docket Number : 04-cv-12511

John A. Baldi

v.

Edward Barshak, et al

CLERK'S CERTIFICATE

I, Sarah A Thornton, Clerk of the United States District Court for the District of Massachusetts, do hereby certify that the annexed documents as indicated on the certified copy of the docket and contained in Volume(s) I are the original pleadings and constitute the record on appeal in the above entitled case for the Notice of Appeal filed on 6/2/05.

In testimony whereof, I hereunto set my hand and affix the seal of this Court on June 6, 2005.

Sarah A. Thornton, Clerk of Court

By: 

Jeanette Ramos, Deputy Clerk

Receipt of the documents in the above entitled case is hereby acknowledged this date: 6/6/05


Deputy Clerk, US Court of Appeals

Please complete the following information:

COURT OF APPEALS DOCKET NUMBER ASSIGNED: _____

APPEAL

**United States District Court
District of Massachusetts (Boston)
CIVIL DOCKET FOR CASE #: 1:04-cv-12511-RGS**

Baldi v. Barshak et al
Assigned to: Judge Richard G. Stearns
Demand: \$5000
Cause: 28:1983 Civil Rights

Date Filed: 11/30/2004
Jury Demand: Plaintiff
Nature of Suit: 440 Civil
Rights: Other
Jurisdiction: Federal Question

Plaintiff

John A. Baldi represented by **John A. Baldi**
19 Ledge Street
Melrose, MA 02176
781-665-5011
PRO SE

V.

Defendant

Edward J. Barshak represented by **Teresa H. Walsh**
Office of the Attorney General
One Ashburton Place
Room 1813
Boston, MA 02108
617-727-2200
Fax: 617-727-3118
Email: teresa.walsh@ago.state.ma.us

*LEAD ATTORNEY
ATTORNEY TO BE NOTICED*

Rosemary Connolly
Attorney General's Office

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ATTORNEY TO BE NOTICED

Defendant

Alice Richmond represented by **Teresa H. Walsh**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rosemary Connolly
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Robert Muldoon, Jr represented by **Teresa H. Walsh**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rosemary Connolly
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

William Kennedy, III represented by **Teresa H. Walsh**
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Rosemary Connolly
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Anthony Massimiano represented by **Teresa H. Walsh**
(See above for address)
LEAD ATTORNEY
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Rosemary Connolly
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ATTORNEY TO BE NOTICED

Defendant

Margaret H. Marshall represented by **Teresa H. Walsh**
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Rosemary Connolly
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Defendant

John Wall represented by **Teresa H. Walsh**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Rosemary Connolly
(See above for address)
ATTORNEY TO BE NOTICED



Date Filed	#	Docket Text
11/30/2004	<u>1</u>	COMPLAINT against Edward J. Barshak, William Kennedy III, Margaret H. Marshall, Anthony Massimiano, Robert Muldoon Jr, Alice Richmond, John Wall Filing fee: \$ 150, receipt number 60398,

		filed by John A. Baldi. (Attachments: # <u>1</u> Civil Cover Sheet)(Johnson, Jay) (Entered: 12/01/2004)
11/30/2004	●	Summons Issued as to Edward J. Barshak, William Kennedy III, Margaret H. Marshall, Anthony Massimiano, Robert Muldoon Jr, Alice Richmond, John Wall. (Johnson, Jay) (Entered: 12/01/2004)
11/30/2004	●	If the trial Judge issues an Order of Reference of any matter in this case to a Magistrate Judge, the matter will be transmitted to Magistrate Judge Cohen. (Johnson, Jay) (Entered: 12/01/2004)
12/17/2004	●2	WAIVER OF SERVICE Returned Executed John Wall waiver sent on 11/30/2004, answer due 1/31/2005. (Johnson, Jay) Modified on 2/8/2005 (Johnson, Jay). Modified on 2/8/2005 (Johnson, Jay). (Entered: 12/20/2004)
01/25/2005	●6	WAIVER OF SERVICE Returned Executed Robert Muldoon, Jr waiver sent on 11/30/04, answer due 1/31/2005. (Johnson, Jay) Modified on 2/8/2005 (Johnson, Jay). Modified on 2/8/2005 (Johnson, Jay). (Entered: 02/02/2005)
01/25/2005	●7	WAIVER OF SERVICE Returned Executed Edward J. Barshak waiver sent on 11/30/2004, answer due 1/31/2005. (Johnson, Jay) (Entered: 02/02/2005)
01/26/2005	●8	WAIVER OF SERVICE Returned Executed Anthony Massimiano waiver sent on 11/30/2004, answer due 1/31/2005. (Johnson, Jay) (Entered: 02/02/2005)
01/27/2005	●3	NOTICE of Appearance by Rosemary Connolly on behalf of all defendants (Connolly, Rosemary) (Entered: 01/27/2005)
01/27/2005	●4	MOTION for Extension of Time to March 15, 2005 to File Answer re <u>1</u> Complaint, by Edward J. Barshak, Alice Richmond, Robert Muldoon, Jr, William Kennedy, III, Anthony Massimiano, Margaret H.

		Marshall, John Wall. (Attachments: # <u>1</u> Affidavit Teresa Walsh)(Connolly, Rosemary) (Entered: 01/27/2005)
01/27/2005	<u>5</u>	NOTICE of Appearance by Teresa Walsh on behalf of all defendants (Connolly, Rosemary) Modified on 1/28/2005 (Johnson, Jay). (Entered: 01/27/2005)
02/02/2005	<u>10</u>	WAIVER OF SERVICE Returned Executed William Kennedy, III waiver sent on 11/30/2004, answer due 1/31/2005. (Johnson, Jay) (Entered: 02/08/2005)
02/02/2005	<u>11</u>	WAIVER OF SERVICE Returned Executed Alice Richmond waiver sent on 11/30/2004, answer due 1/31/2005. (Johnson, Jay) (Entered: 02/08/2005)
02/04/2005	<u>9</u>	Judge Rya W. Zobel : ORDER entered. ORDER OF RECUSAL.(Urso, Lisa) (Entered: 02/04/2005)
02/09/2005	<u>12</u>	Case Reassigned to Judge Richard G. Stearns. Judge Rya W. Zobel no longer assigned to the case. Counsel are directed to the Court's Standing Orders re: Electronic Case Filing. (Johnson, Jay) (Entered: 02/09/2005)
02/09/2005	<u>13</u>	Objection to <u>4</u> MOTION for Extension of Time to March 15, 2005 to File Answer re <u>1</u> Complaint,. (Johnson, Jay) (Entered: 02/15/2005)
02/22/2005	<u>14</u>	WAIVER OF SERVICE Returned Executed Margaret H. Marshall waiver sent on 11/30/2004, answer due 1/31/2005. (Johnson, Jay) (Entered: 02/23/2005)
03/11/2005	<u>15</u>	MOTION to Dismiss by Edward J. Barshak, Alice Richmond, Robert Muldoon, Jr, William Kennedy, III, Anthony Massimiano, Margaret H. Marshall, John Wall. (Attachments: # <u>1</u> Exhibit 1)(Walsh, Teresa) (Entered: 03/11/2005)
03/28/2005	<u>16</u>	AMENDED COMPLAINT against Edward J. Barshak, Alice Richmond, Robert Muldoon, Jr, William Kennedy, III, Anthony Massimiano, Margaret

		H. Marshall, John Wall, filed by John A. Baldi. (Johnson, Jay) (Entered: 03/29/2005)
03/28/2005	<u>17</u>	RESPONSE/OBJECTION to Motion re <u>15</u> MOTION to Dismiss filed by John A. Baldi. (Johnson, Jay) (Entered: 03/29/2005)
04/06/2005	<u>18</u>	Judge Richard G. Stearns : MEMORANDUM AND ORDER on Defendants' Motion to Dismiss, ENTERED.(Flaherty, Elaine) (Entered: 04/06/2005)
04/06/2005	•	Civil Case Terminated. (Flaherty, Elaine) (Entered: 04/06/2005)
04/06/2005	<u>19</u>	MOTION to attach the interest only lawyers trust accounts of defendants Barshak, Richmond, Muldoon,Massimiano Kennedy and Wall by Edward J. Barshak, Alice Richmond, Robert Muldoon, Jr, William Kennedy, III, Anthony Massimiano, John Wall.(Johnson, Jay) (Entered: 04/06/2005)
04/06/2005	<u>20</u>	MEMORANDUM in Support re <u>19</u> MOTION to attach the interest only lawyers trust accounts of defendants Barshak, Richmond, Muldoon,Massimiano Kennedy and Wall filed by John A. Baldi. (Johnson, Jay) (Entered: 04/06/2005)
04/06/2005	<u>21</u>	APPENDIX/EXHIBIT re <u>19</u> MOTION to attach the interest only lawyers trust accounts of defendants Barshak, Richmond, Muldoon,Massimiano Kennedy and Wall by John A. Baldi. (bound booklet) (Johnson, Jay) (Entered: 04/06/2005)
04/08/2005	<u>22</u>	Judge Richard G. Stearns : Electronic ORDER OF DISMISSAL entered. (Johnson, Mary) (Entered: 04/08/2005)
04/11/2005	•	Judge Richard G. Stearns : Electronic ORDER entered finding as moot <u>19</u> Motion to attach interest (Flaherty, Elaine) (Entered: 04/11/2005)
04/12/2005	<u>23</u>	MOTION for Reconsideration re <u>22</u> Order by John A.

		Baldi.(Flaherty, Elaine) (Entered: 04/14/2005)
04/12/2005	24	MEMORANDUM in Support re 23 MOTION for Reconsideration re 22 Order filed by John A. Baldi. (Flaherty, Elaine) (Entered: 04/14/2005)
04/20/2005	25	MOTION for Sanctions pursuant to Rule 11(1) for the Court to sanction defendants Edward Barshak, Alice Richmond, Robert Muldoon, Jr., Anthony Massimiano, William Kennedy, III, John Wall and their counsel Teresa Walsh by John A. Baldi. (Flaherty, Elaine) (Entered: 04/26/2005)
04/20/2005	26	MEMORANDUM in Support re 25 MOTION for Sanctions filed by John A. Baldi. (Flaherty, Elaine) (Entered: 04/26/2005)
04/20/2005	27	APPENDIX/EXHIBIT re 25 MOTION for Sanctions by John A. Baldi. (bound -unscannable), filed. (Flaherty, Elaine) (Entered: 04/26/2005)
05/12/2005		Judge Richard G. Stearns : Electronic ORDER entered denying 23 Motion for Reconsideration, denying 25 Motion for Sanctions (Flaherty, Elaine) (Entered: 05/12/2005)
05/20/2005	28	Objection by John A. Baldi to Order on Motion for Reconsideration, filed. (Flaherty, Elaine) Additional attachment(s) added on 5/25/2005 (Flaherty, Elaine). (Entered: 05/24/2005)
05/20/2005	29	Objection by John A. Baldi to Order on Motion for Sanctions, filed.(Flaherty, Elaine) (Entered: 05/24/2005)
06/02/2005	30	NOTICE OF APPEAL as to 22 Order, 18 Memorandum & ORDER, Order on Motion for Reconsideration, Order on Motion for Sanctions by John A. Baldi. NOTICE TO COUNSEL: A Transcript Report/Order Form, which can be downloaded from the First Circuit Court of Appeals web site at

		http://www.ca1.uscourts.gov/clerks/transcript.htm MUST be completed and submitted to the Court of Appeals. Appeal Record due by 6/22/2005. (Flaherty, Elaine) (Entered: 06/03/2005)
06/03/2005	 31	MOTION for Reconsideration re Order on Motion for Reconsideration, Order on Motion for Sanctions and for relief from judgment and orders of the court by John A. Baldi.(Flaherty, Elaine) (Entered: 06/03/2005)
06/03/2005	 31	Judge Richard G. Stearns : Electronic ORDER entered denying 31 Motion for Reconsideration (Flaherty, Elaine) (Entered: 06/03/2005)